

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 1, 2020

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APPLICATION OF

KINECT ENERGY INC.

CASE NO. PUR-2020-00046

For a license to do business as an electricity  
and natural gas aggregator

ORDER FOR NOTICE AND COMMENT

On March 17, 2020, Kinect Energy, Inc., ("Kinect" or "Company") completed an application ("Application") with the State Corporation Commission ("Commission") for a license to do business as an electricity and natural gas aggregator in the Commonwealth of Virginia.<sup>1</sup> The Company seeks authority to offer electricity aggregation services to eligible commercial, industrial, and governmental customers in the service territories of Dominion Energy Virginia, Appalachian Power Company, and Old Dominion Power.<sup>2</sup> The Company also seeks authority to offer natural gas aggregation services to the eligible commercial, industrial, and governmental customers throughout the Commonwealth.<sup>3</sup> Kinect attested that it would abide by all applicable

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<sup>1</sup> The Company initially filed its Application on March 11, 2020, but the Commission's Staff ("Staff") deemed the Application incomplete as filed. Kinect provided supplemental information on March 17, 2020, completing its Application.

<sup>2</sup> Retail choice for electricity exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Appalachian Power Company, and the electric cooperatives. Moreover, retail choice for electricity is only permitted pursuant to the customer classes, load parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

<sup>3</sup> Retail choice for natural gas service presently exists only in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s.

regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.<sup>4</sup>

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Kinect's Application; Kinect should serve this Order upon the appropriate persons; Staff shall conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2020-00046.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application and supporting documents may be viewed or downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.
- (4) On or before April 10, 2020, Kinect shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.
- (5) On or before April 17, 2020, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk of the State Corporation Commission.
- (6) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request to Jill Gemlo, Sr. Contract Negotiator, Kinect

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<sup>4</sup> 20 VAC 5-312-10 *et seq.*

Energy, Inc., 605 North Highway 169, Suite 1200, Plymouth, Minnesota 55441, or [jgemlo@world-kinect.com](mailto:jgemlo@world-kinect.com). The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(7) Written comments on the Application may be filed on or before April 22, 2020, with the Clerk of the Commission. A copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the physical or email address set forth in Ordering Paragraph (6). All comments shall refer to Case No. PUR-2020-00046.

(8) The Staff shall analyze Kinect's Application and shall present its findings in a Staff Report to be filed on or before April 29, 2020.

(9) On or before May 6, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report.

(10) In accordance with the Commission's revised operating procedures during the COVID-19 emergency, all comments, pleadings, and documents shall be submitted electronically, via <https://www.scc.virginia.gov/case>, to the Clerk of the Commission to the extent authorized by the Commission's Rules of Practice.<sup>5</sup>

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

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<sup>5</sup> See *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020).

A COPY hereof shall be sent electronically by the Clerk of the Commission to:

Jill Gemlo, Sr. Contract Negotiator, Kinect Energy, Inc., 605 North Highway 169, Suite 1200, Plymouth, Minnesota 55441; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility Regulation.

ATTACHMENT A

Virginia Electric & Power Company  
d/b/a Dominion Energy Services, Inc.  
Paul E. Pfeffer, Esquire  
Riverside 2, Legal  
120 Tredegar Street  
Richmond, Virginia 23219  
paul.e.pfeffer@dominionenergy.com

Appalachian Power Company  
d/b/a American Electric Power Company  
Mr. William K. Castle  
Director, Regulatory Services, VA/TN  
1051 East Cary Street, Suite 1100  
Richmond, Virginia 23219  
wkcastle@aep.com

Kentucky Utilities Company  
d/b/a Old Dominion Power Company  
Allyson K. Sturgeon  
Sr. Counsel, Reg & Trans  
LG&E and KU Energy LLC  
220 W. Main Street  
Louisville, KY 40202  
allyson.sturgeon@lge-ku.com

Kentucky Utilities Company  
d/b/a Old Dominion Power Company  
Robert M. Conroy  
VP, State Regulation & Rates  
LG&E and KU Energy LLC  
220 W. Main Street  
Louisville, KY 40202  
robert.conroy@lge-ku.com

ATTACHMENT A

**Columbia Gas of Virginia, Inc.**  
**Brentley K. Archer, President**  
**1809 Coyote Drive**  
**Chester, Virginia 23836-2400**  
**barcher@nisource.com**

**Roanoke Gas Company**  
**Paul W. Nester, President**  
**P.O. Box 13007**  
**Roanoke, Virginia 24011**  
**paul\_nester@rgcresources.com**

**Southwestern Virginia Gas Company**  
**James E. McClain, II, President and CEO**  
**208 Lester Street**  
**Martinsville, Virginia 24112**  
**james@swvagas.com**

**Atmos Energy Corporation**  
**J. Kevin Dobbs, President**  
**810 Crescent Centre Drive, Suite 600**  
**Franklin, Tennessee 37067-6226**  
**Kevin.Dobbs@atmosenergy.com**

**Appalachian Natural Gas Distribution Company**  
**John D. Jesse, Vice President**  
**220 West Valley Street**  
**Abingdon, Virginia 24210**  
**JJesse@appnatgas.com**

**Virginia Natural Gas, Inc.**  
**James R. Kibler, President**  
**544 S. Independence Blvd.**  
**Virginia Beach, Virginia 23452**  
**jkibler@southernco.com**

**Washington Gas Light Company**  
**Donald Jenkins, President**  
**1000 Maine Avenue, SW, Suite 700**  
**Washington, D.C. 20024**  
**blue.jenkins@washgas.com**